PROCEDURES FOR ENACTMENT OF REGULATIONS

Prepared: July 1987

Manitoba
Attorney General
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945-1723

FOREWORD

This paper is divided into three parts. Part I describes the procedure to be followed in order to have a regulation made or approved by the Lieutenant Governor in Council. Part II describes the procedure for regulations made by ministers, boards, commissions, corporations and other bodies. Part III sets out the procedure for regulations made by boards, commissions or corporations which must subsequently be approved or confirmed by the Lieutenant Governor in Council.

The procedures described in this paper are the steps which regulation making authorities have in common. Each authority will have, or should develop, additional procedures which are tailored to its own internal needs but which are not reflected here.

Additional copies of this paper, as well as further information about the procedures, may be obtained from the Regulations Unit, telephone number 945-1723.

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PART I

PROCEDURE FOR ENACTMENT OF REGULATIONS BY THE LIEUTENANT GOVERNOR IN COUNCIL

INTRODUCTION

This Part sets out the procedure which must be observed in order to have a regulation enacted by the Lieutenant Governor in Council. The discussion includes information about the steps departments must initiate, internal procedures in the Executive Council office, and steps to ensure that approved regulations take legal effect. It is organized under the following headings:

1. Preparation of documents
2. Approval of Order in Council and regulation by the Regulations Unit
3. Initial routing procedures
4. Regulation review and translation
5. Enactment of the regulation
6. Filing and publication

A flow chart setting out the procedures is found at the end of this Part on page 10.

1. PREPARATION OF DOCUMENTS

As described in greater detail below, the documentation for regulations made by the Lieutenant Governor in Council consists of:

(1) an Order in Council, with the regulation attached as a schedule,
(2) a Cabinet Submission,
(3) a Communications Action Plan and Strategy (CAPS) form,
(4) a Regulation Impact Statement, and
(5) a transmittal memorandum or route slip.

(1) The Order in Council

An Order in Council is the instrument by which the government makes, amends or repeals a regulation.

Before it is approved, an Order in Council takes the form of a Recommendation to Council (Cabinet). The Recommendation is first presented to the Executive Council (Cabinet) for consideration and is subsequently approved by the Lieutenant Governor.

A Recommendation is submitted over the signature of the responsible minister. If the action recommended involves an area of responsibility of other ministers, the Recommendation must indicate, by their signatures, the concurrence of these ministers.

(a) Format

Orders in Council are prepared by the department on official Order in Council forms (PS-f-40 for the one page form and PS-f-40A for the two page form) which are available from the Queen's Printer. Only the printed forms can be used; photocopies are not acceptable.

The following rules apply to the preparation of the forms:

- an error-free original Order in Council is prepared and either (1) where a word processor is used, a second original, or (2) a carbon copy.

- the one page form should be used wherever possible.

- where two pages are required, only the front page and the inside right-hand (signature) page are to be used.

- where three pages are required, the front page, the inside left-hand page and inside right-hand (signature) page are to be used.

- where more than three pages are required, inserts are to be used.

- a red-inked "Z" must appear on both the original and second original (or carbon) from the last recommendation to the minister's signature.

- the name of the department and authorized officer is inserted in the box on the form headed "Initiating Department/Agency."

(b) Citing Authority and Completion of the Form

The purpose of the Order in Council is to set out in brief form the statutory authority for the regulation and to state how the statute has been complied with. The Order in Council should state bare facts and law and not policy.

Following the first "WHEREAS" on the form, the Order in Council must cite the exact statutory authority relied on, identifying the Act or Acts, section or sections and subsections, if applicable. The Act should be referred to for correct quotation.

Where the enabling authority is derived from a combination of provisions to be found in two different Acts, the dual authority must be clearly identified.

Where authority to make the regulation depends, under the enabling Act, upon the fulfilment of some condition which can be recited as a statement of fact, the fulfilment of that condition must be recited in the Order in Council. One example is a regulation made by a board or commission which must subsequently be approved by the Lieutenant Governor in Council. The Order in Council should set out the statutory requirement of approval, the fact that the board or commission has made the regulation and on what date. Where the statute requires that the Lieutenant Governor in Council approve the regulation within a certain time period, that should also be set out in the Order in Council.

Where the regulation has retroactive effect, the section of the Act which permits retroactivity should be set out in the Order in Council. Generally, regulations cannot be made retroactively unless the Act under which the regulation is made contains specific authority permitting it.

In addition, if the Act states that the regulation is not required to be filed or published under The Regulations Act, this should be set out in the Order in Council.

Where publication of a regulation is being dispensed with under subsection 4(3) of The Regulations Act, the Order in Council making the regulation should contain a provision setting out the dispensation, and that the requirements of subsection 4(3) are satisifled.

The final "WHEREAS" must contain the justification for the recommendation. This will ordinarily be a statement that it is advisable to make the scheduled regulation or amend the regulation as set out in the schedule. The justification should lead adequately into the statement, "THEREFORE the Minister recommends ..."

Illustrations of these various requirements are set out in Appendix A. The illustrations should be used as a guide for citing statutes, refering to schedules and other regulations, and for general matters of style.

(c) Schedule

The regulation is attached to the Order in Council as a schedule and should be identified at the top of the page as "Schedule A". The schedule should be clearly legible; a photocopy is acceptable.

The format requirements for the regulation itself are set out in a paper available from the Regulations Unit titled "A New Format for Manitoba Regulations" (November 1986).

(2) The Cabinet Submission

The Order in Council is to be accompanied by a Cabinet Submission, signed by the minister, which outlines the intent of the Order in Council and provides a justification and related background information.

The components of the paper are as follows:

(a) Subject

This should briefly indicate the subject matter of the regulation.

(b) Background

This should provide a factual summary of the regulation, as well as a brief recital of the conditions, events and policy considerations leading up to the recommendation.

(c) Discussion

(If required)

(d) Financial Implications

The financial implications which the government will incur as a result of enacting the regulation are set out here. If there are no financial implications this section would read "Nil".

(e) Communication Strategy

Where there is a need to communicate the content of the regulation, the Communications Action Plan and Strategy (CAPS) form must be completed. This section would then briefly summarize the content of the CAPS form. Where communication is not required, this section would read "Not required."

(f) Recommendation(s)

This section will be a brief statement to the effect that Cabinet approve the making or amendment of the regulation.

(3) Communications Action Plan and Stategy (CAPS) Form

This form must accompany all Cabinet submissions that will require communication to the public. A copy is set out in Appendix B. The form is available from the office of the Assistant Deputy Minister, Communications Services, Department of Culture, Heritage & Recreation, 304 - 379 Broadway.

(4) Regulation Impact Statement

A completed Regulation Impact Statement must accompany all new and amending regulations. Instructions for completion are on the form itself, a copy of which is set out in Appendix C. The form is available from the Senior Program Analyst, Federal Provincial Relations and Research, 203 - 333 Broadway, (945-3757).

(5) Transmittal Memorandum or Route Slip

The final element in the documentation is a memorandum from the department addressed to the Clerk of the Executive Council. The name of the department contact person and his or her telephone number should be indicated. A second route slip for Legal Translation Services is also required. (See 3.2 below).

2. APPROVAL OF ORDER IN COUNCIL AND REGULATION BY THE REGULATIONS UNIT

The department must have the Order in Council and the regulation approved by a lawyer in the Regulations Unit of Legal Services, Attorney General's Department, Room 350 - 444 St Mary Avenue. Once approved, the lawyer's name and initials will be placed in the appropriate place in the box on the Order in Council form headed "Initiating Department/Agency."

3. INITIAL ROUTING PROCEDURES

3.1 Copies sent to Clerk of the Executive Council and Department of Finance

Photocopies of each of the above documents, with appropriate covering memos, are to be sent to:

Clerk of the Executive Council
Room 204
Legislative Building

and to:

Senior Program Analyst
Federal Provincial Relations and Research
203 - 333 Broadway

3.2 Copy for Legal Translation

An additional photocopy of the Order in Council, with the schedule, must be in the Clerk of the Executive Council's package with a route slip, which includes the name of a contact person and telephone number, addressed to:

Legal Translation Services
350-444 St. Mary Avenue

A return inter-office envelope should be attached for return to the department contact person. If the Order in Council and the schedule are on a Wang-compatible diskette, this should be noted on the route slip because it could speed up the translation process.

4. REGULATION REVIEW AND TRANSLATION

4.1 Preparation of memorandum by Department of Finance

A Senior Program Analyst of the Department of Finance, in consultation with the department contact person, will prepare a memorandum to the Clerk of the Executive Council. This memo will summarize the results of the Regulation Review. When completed, copies will be sent to the department Deputy Minister and appropriate staff.

4.2 Review of material by Clerk of the Executive Council

The Clerk of the Executive Council will review all of the material to determine if it is appropriate to go to Cabinet. If so, the Clerk will send the package referred to in item 3.2 above to Legal Translation Services.

4.3 Translation

When translation is completed, Legal Translation Services will return the material to the department contact person named on the return inter-office envelope.

5. ENACTMENT OF THE REGULATION

5.1 Documents for Cabinet

Upon receipt of the translated material, the department may then arrange through the Minister's office for the Order in Council to be considered by Cabinet. The first step is to have the Order in Council placed on the Cabinet agenda. By noon of the Monday preceding the Cabinet meeting, which usually takes place on Wednesday, the Minister's office must provide the Executive Council's office with 26 photocopies of the material to be presented to Cabinet. At the very least this will be the Cabinet Submission with CAPS form attached and the Regulation Impact Statement, but it may also include the Order in Council and the regulation.

5.2 Documents for Executive Council's Office

By the Tuesday afternoon prior to the Wednesday Cabinet meeting, the Minister's office must provide the Order in Council Clerk of the Executive Council's office with the second original (or carbon) of the Order in Council and the attached regulation in English and French. Ten additional photocopies of the regulation in English and French should be attached.

5.3 Documents for the Minister

The Minister will take into Cabinet the original Cabinet Submission, the original Order in Council and regulation in both English and French, and copies of the Regulation Impact Statement and memorandum from the Department of Finance.

5.4 Enactment by Cabinet

Immediately after the Order in Council is passed, it is signed by the President of the Executive Council or a designated acting minister. It is numbered and the Clerk of the Executive Council arranges for it to be signed by the Lieutenant Governor. This usually takes place on the day following the Cabinet meeting.

5.5 Original documents retained for safekeeping

The Clerk of the Executive Council will retain the original Order in Council and schedule for safekeeping. The second original (or carbon) is sent to the Department of Consumer and Corporate Affairs for safekeeping.

5.6 Copies of enacted regulation and Order in Council sent to department and interested individuals

The Clerk of the Executive Council will send a photocopy of the Order in Council and the enacted regulation to the department Minister, Deputy Minister and to a number of other interested individuals. Although the regulation is "enacted" at this point, it does not take effect until it is filed and published.

6. FILING AND PUBLICATION

6.1 Preparation of certificate

To initiate filing and publication of the regulation in accordance with The Regulations Act, the department must prepare a certificate for signature by the Clerk of the Executive Council. This should be done immediately after the department is notified that the regulation has been enacted. The certificate sets out such information as the date the regulation was made and by whom, when it comes into effect, and whether or not it amends or replaces any other regulation A copy of the English version is set out in Appendix D. The form is available from the Queen's Printer.

Two original certificates, one in English and one in French, are required, as well as two photocopies of each. Legal Translation Services will provide assistance for those departments who require it.

The Clerk's name should not be filled in on the certificate in case an acting Clerk's name must be used. The date over the Clerk's signature at the bottom of the certificate should also be left blank.

6.2 Copies of certificate and regulation sent to Executive Council

The department should send the original French and English certificates, and two photocopies of each, to:

Order in Council Clerk
Room 216
Legislative Building

Each of the photocopies must be accompanied by a good copy of the regulation in the appropriate language. The department should ensure that a 1 1/2" inch border is left at the bottom of the regulation to accommodate stamps from Executive Council and the Registrar of Regulations.

The name of the department contact person should be indicated when the certificates are sent. This will allow the Regulations Unit to advise the department of the date of filing and publication.

6.3 **Signing of certificate by Clerk of Executive Council**

The Order in Council clerk will complete the certificates and arrange for them to be signed by the Clerk of the Executive Council. The Order in Council clerk will retain a copy of the English and French certificates and send the original and the second copy (in each language), with attached regulations, to the Registrar of Regulations, 350 – 444 St. Mary Avenue for filing.

6.4 **Filing of regulation with the Registrar of Regulations**

The Registrar of Regulations will endorse a number and date on the four copies of the regulations, and retain one copy of the English certificate and regulation, and one copy of the French. The Registrar will then send the other set of certificates and regulations, one English and one French, to the Queen's Printer for publication in The Manitoba Gazette. The Gazette is published every Saturday and to ensure publication in a particular issue, a regulation must be received by the Queen's Printer no later than noon on Tuesday of the preceding week. For example, a regulation to be published in the June 20th Gazette must be received by the Queen's Printer by June 9th.

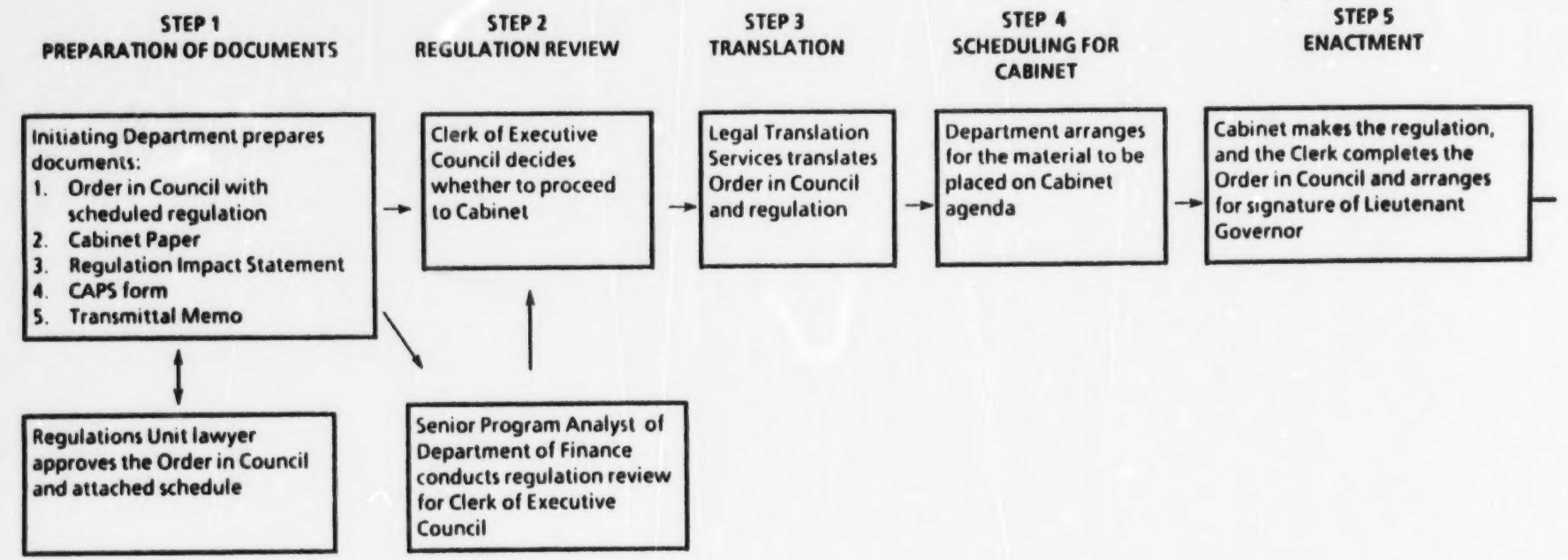
6.5 **Publication of the regulation in The Manitoba Gazette**

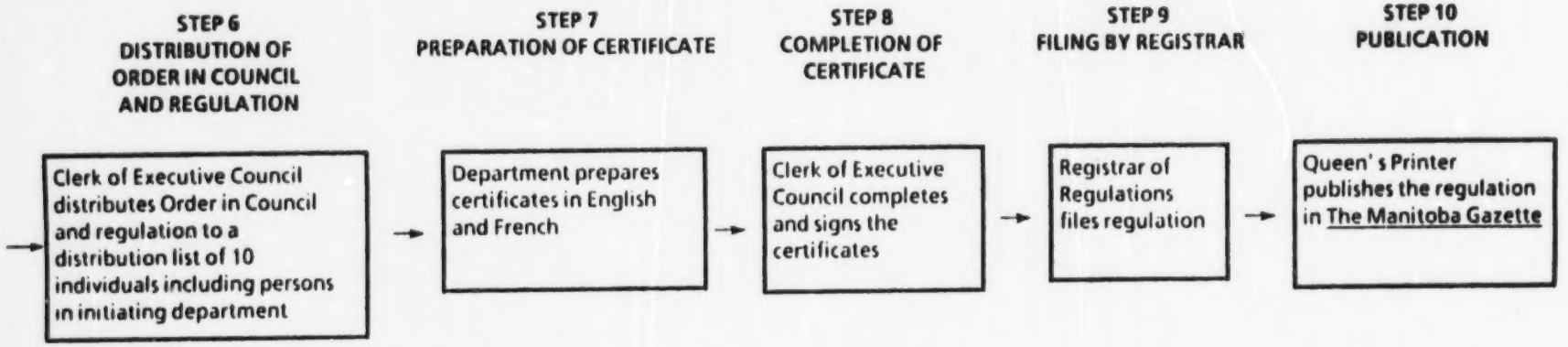
The Queen's Printer will publish the regulation in The Manitoba Gazette.

6.6 **Notification of filing and publication sent to department**

The Regulations Unit will send the department contact person a notice of the regulation number and the date of publication in the Gazette.

PROCEDURE FOR ENACTMENT OF REGULATIONS BY LIEUTENANT GOVERNOR IN COUNCIL


STEP 1
PREPARATION OF DOCUMENTS
STEP 2
REGULATION REVIEW
STEP 3
TRANSLATION
STEP 4
SCHEDULING FOR CABINET
STEP 5
ENACTMENT
Initiating Department prepares documents:
1. Order in Council with scheduled regulation
2. Cabinet Paper
3. Regulation Impact Statement
4. CAPS form
5. Transmittal Memo
Clerk of Executive Council decides whether to proceed to Cabinet
Legal Translation Services translates Order in Council and regulation
Department arranges for the material to be placed on Cabinet agenda
Cabinet makes the regulation, and the Clerk completes the Order in Council and arranges for signature of Lieutenant Governor
Regulations Unit lawyer approves the Order in Council and attached schedule
Senior Program Analyst of Department of Finance conducts regulation review for Clerk of Executive Council


STEP 6
DISTRIBUTION OF ORDER IN COUNCIL AND REGULATION
STEP 7
PREPARATION OF CERTIFICATE
STEP 8
COMPLETION OF CERTIFICATE
STEP 9
FILING BY REGISTRAR
STEP 10
PUBLICATION
Clerk of Executive Council distributes Order in Council and regulation to a distribution list of 10 individuals including persons in initiating department
Department prepares certificates in English and French
Clerk of Executive Council completes and signs the certificates
Registrar of Regulations files regulation
Queen's Printer publishes the regulation in The Manitoba Gazette

PART II

PROCEDURE FOR REGULATIONS NOT MADE OR APPROVED BY ORDER IN COUNCIL

INTRODUCTION

This Part sets out the procedural requirements for regulations not made by Order in Council. Examples are ministerial orders and regulations, and certain orders, regulations and rules made by boards, commissions, corporations and other bodies. A flow chart setting out the procedures is found on page 13.

1. PREPARATION OF DOCUMENTS

The required documentation consists of the regulation itself and a certificate. The regulation must comply with the format requirements set out in a paper available from the Regulations Unit titled "A New Format for Manitoba Regulations" (November 1986).

A certificate signed by the person making the regulation or, where the regulation is made by a board, commission, or corporation, by a responsible officer, such as the secretary, of that board, commission, or corporation is also required. Two sample certificates are set out in Appendix D. The first is a ministerial certificate, and the second is for a regulation made by a board.

2. APPROVAL BY REGULATIONS UNIT AS TO FORM

A draft copy of the regulation should be sent to the Regulations Unit for approval as to form before it is made by the minister, board, commission, etc. This "pre-clearance" will ensure that the regulation is in the proper format and will not be rejected when presented for filing.

At this stage, advice can also be obtained from the Regulations Unit as to whether or not the regulation requires translation. If it does, the regulation must be translated prior to its being made and must be passed by the minister, board, commission or corporation in English and French.

3. TRANSLATION (IF REQUIRED)

In two cases, a regulation under this Part will require translation: (1) a regulation made or approved by a minister must always be translated, and (2) a regulation made by a board, commission or corporation requires translation if it concerns rules of practice in the exercise by the board, commission or corporation of quasi-judicial functions. The rules concerning translation are complex and advice can be obtained from the Regulations Unit.

Where translation is required, the regulation should be sent, with a transmittal memorandum or route slip, to Legal Translation Services, 350 – 444 St. Mary Avenue.

4. ENACTMENT BY THE MINISTER, BOARD, COMMISSION, ETC.

A regulation, order or rule must be enacted by the regulation-making authority in accordance with the statute under which it is made. If it is made or approved by a minister, the signature of the minister on the English and French copies is all that is required. Where a regulation requiring translation is made by a board, commission or corporation, it must be made in both languages. It must also be made at a duly constituted meeting of the regulation-making body; merely having the regulation signed by one or two officers is insufficient. In addition, the minutes of the meeting should reflect the making of the regulation and that any conditions precedent set out in the Act have been satisfied.

5. FILING THE REGULATION WITH THE REGISTRAR OF REGULATIONS

After the regulation has been passed, it must be filed with the Registrar of Regulations. This is done by sending the regulation and the certificate, in the number of copies set out below, to:

Registrar of Regulations
Regulations Unit
350 – 444 St. Mary Avenue

The name of a contact person and telephone number should accompany the documents.

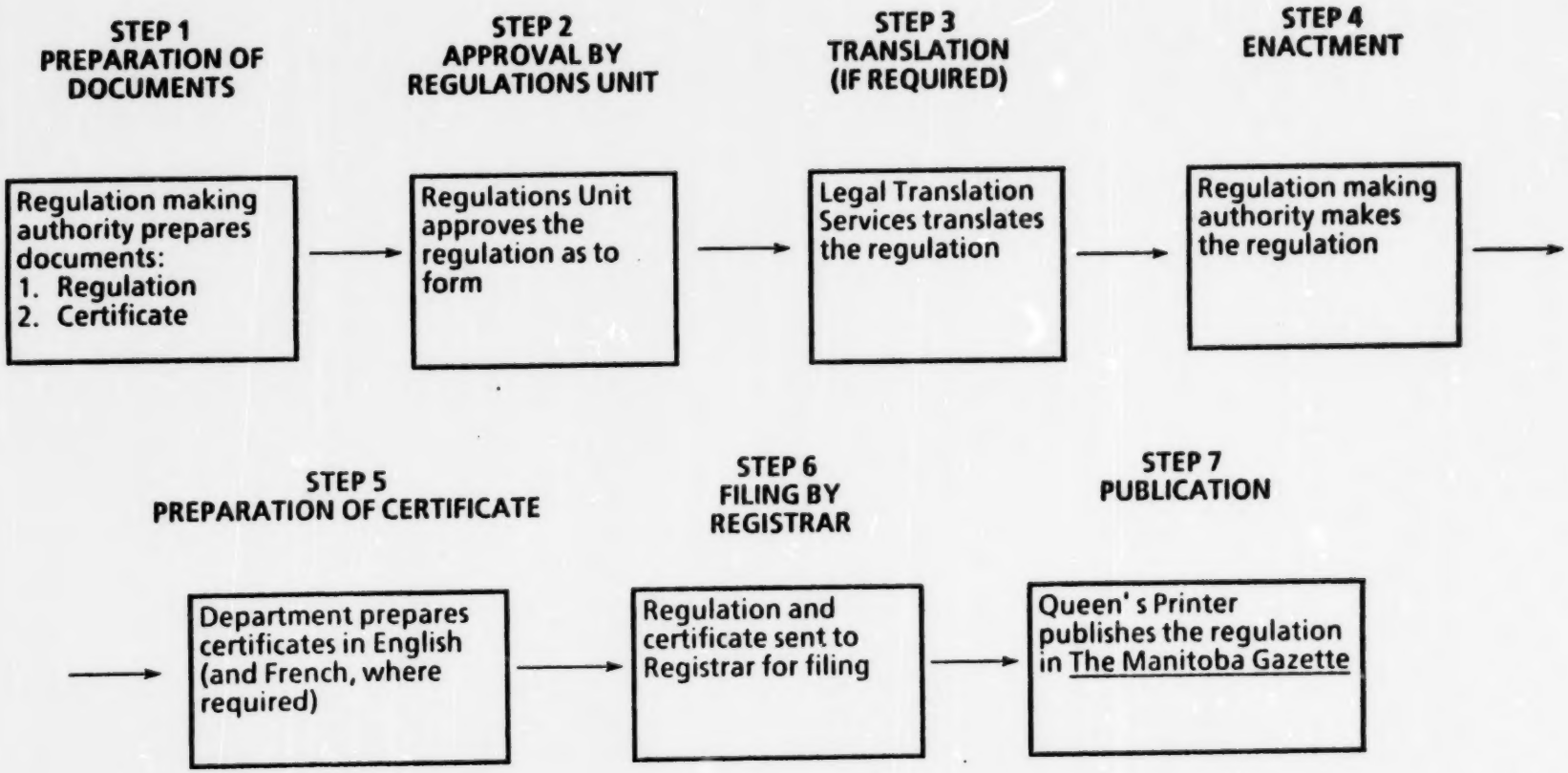
Where the regulation does not require translation, two original certificates, each attached to a signed original of the regulation, should be filed. However, where it is not feasible to send original regulations, good phototcopies will be accepted.

Where the regulation does require translation, two original certificates in English and two in French must be filed with the Registrar. Each certificate should have attached to it an original signed regulation in the appropriate language. Good photocopies of the regulation are acceptable where it is not feasible to send originals.

The Registrar will endorse a number and date on the regulation, retain one copy and send the other to the Queen's Printer for publication in The Manitoba Gazette.

After publication in the Gazette, the Regulations Unit will send the contact person a notice of the regulation number and the date of publication.

PROCEDURE FOR REGULATIONS NOT MADE BY ORDER IN COUNCIL



PART III

PROCEDURE FOR REGULATIONS MADE BY A BOARD, COMMISSION OR CORPORATION AND APPROVED OR CONFIRMED BY THE LIEUTENANT GOVERNOR IN COUNCIL

In some cases, the statute under which a regulation is made requires that the regulation or rule, order or by-law be made at first instance by a board, commission or corporation and then subsequently approved or confirmed by the Lieutenant Governor in Council. In such a case the following procedures apply:

1. Items 1, 2 and 3 of Part II are followed respecting the preparation of documents, approval as to form and enactment.

2. All of the steps outlined in Part I with respect to enactment by the Lieutenant Governor in Council are then followed, with the exception of translation of the regulation which must be done before the regulation is made at first instance by the board, commission or corporation.

It should be noted that where a statute requires a regulation made by a board, commission or corporation to be approved by the Lieutenant Governor in Council, the regulation does not take effect and is not filed until the approval is obtained. However, in most cases where a regulation must be confirmed, the regulation is filed and takes effect immediately. Subsequently, within whatever time period is set out in the statute, the regulation is confirmed by the Lieutenant Governor in Council.

APPENDIX A

ORDER IN COUNCIL SAMPLES

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MANITOBA

1. NEW REGULATION

Order in Council

No. .....

ON MATTERS OF STATE

To The Honourable the Lieutenant Governor in Council

The undersigned, the ~~Minister of~~ Attorney General

submits for approval of Council a report setting forth that:

WHEREAS clause 25(f) of The Legal Aid Services Society of Manitoba Act (C.C.S.M. c. L105) provides as follows:

25 For the purpose of carrying out the provisions of this Act according to their intent, the Lieutenant Governor in Council may make such regulations and orders as are ancillary thereto and are not inconsistent therewith; and every regulation or order made under, and in accordance with the authority granted by, this section has the force of law; and, without restricting the generality of the foregoing, the Lieutenant Governor in Council may make such regulations and orders, not inconsistent with any other provision of this Act,

(f) for the establishment and revision from time to time of a tariff of fees to be used in taxing a solicitor's bill;

AND WHEREAS it is considered advisable to make the regulation set out in Schedule A;

THEREFORE the Attorney General recommends:

THAT the regulation set out in Schedule A be made.

Initiating Department/Agency	
Department/Agency	Authorized Officer
Approved By C.S.C.	Finance
Approved as to form by: Name _____ Initials	
Civil Litigation Branch or Legislative Counsel:	

Signature .....

IN THE EXECUTIVE COUNCIL CHAMBER, WINNIPEG

Upon consideration of the foregoing report and recommendation Council advises that it be done as recommended.

....
Date President or Presiding Member

AT GOVERNMENT HOUSE IN THE CITY OF WINNIPEG

Approved and Ordered this ..... day of..... A.D. .....

.....
Lieutenant Governor

PSF 40

MANITOBA

2. AMENDING REGULATION

Order in Council

ON MATTERS OF STATE

No. .....

To The Honourable the Lieutenant Governor in Council

The undersigned, the Minister of .....Agriculture.....
submits for approval of Council a report setting forth that:

WHEREAS clause 32(a) of The Natural Products Marketing Act (C.C.S.M. c. N20) provides as follows:

32 For the purpose of carrying out the provisions of this Act according to their intent, the Lieutenant Governor in Council may make such regulations and orders as are ancillary thereto and are not inconsistent therewith; and every regulation or order made under, and in accordance with the authority granted by, this section has the force of law; and, without restricting the generality of the foregoing, the Lieutenant Governor in Council may make such regulations and orders, not inconsistent with any other provision of this Act,

(a) providing for the establishment of a plan;

AND WHEREAS the Manitoba Broiler Hatching Egg Marketing Plan Regulation, Manitoba Regulation 251/86, was made under that clause;

AND WHEREAS it is considered advisable to amend that regulation as set out in Schedule A;

THEREFORE the Minister recommends:

THAT the regulation set out in Schedule A be made.

Initiating Department/Agency
Department/Agency Authorized Officer
Approved By C.S.C. Finance
Approved as to form by: Name _____ Initials Civil Litigation Branch: or Legislative Counsel:

Signature .....

IN THE EXECUTIVE COUNCIL CHAMBER, WINNIPEG

Upon consideration of the foregoing report and recommendation Council advises that it be done as recommended.

....
Date President or Presiding Member

AT GOVERNMENT HOUSE IN THE CITY OF WINNIPEG

Approved and Ordered this ..... day of..... A.D. .....

.....
Lieutenant Governor

PSF 40

MANITOBA

3. REPEAL AND SUBSTITUTION OF REGULATION

Order in Council

No. .....

ON MATTERS OF STATE

To The Honourable the Lieutenant Governor in Council

The undersigned, the Minister of .....Finance.....
submits for approval of Council a report setting forth that:

WHEREAS clauses 9(a) and (b) of The Suitors' Moneys Act (C.C.S.M. c. S220) provide as follows:

9 The Lieutenant Governor in Council may make regulations ancillary to this Act and not inconsistent therewith, and every regulation made under, and in accordance with the authority granted by, this section has the force of law and without restricting the generality of the foregoing the Lieutenant Governor in Council may make regulations not inconsistent with any other provision of this Act

(a) fixing the rate of interest that moneys paid into court under section 3 shall bear;

(b) respecting the manner and times of crediting and compounding interest that moneys paid into court under section 3 bear;

AND WHEREAS Manitoba Regulation 117/86 was made under those clauses;

AND WHEREAS it is considered advisable to repeal Manitoba Regulation 117/86 and to make the regulation set out in Schedule A;

THEREFORE the Minister recommends:

THAT the regulation set out in Schedule A be made.

Initiating Department/Agency
Department/Agency Authorized Officer
Approved By C.S.C. Finance
Approved as to form by: Name _____ Initials Civil Litigation Branch: or Legislative Counsel:

Signature .....

IN THE EXECUTIVE COUNCIL CHAMBER, WINNIPEG

Upon consideration of the foregoing report and recommendation Council advises that it be done as recommended.

....
Date President or Presiding Member

AT GOVERNMENT HOUSE IN THE CITY OF WINNIPEG

Approved and Ordered this ..... day of..... A.D. .....

.....
Lieutenant Governor

PSP 60

MANITOBA

4. REGULATION CONFIRMED BY LIEUTENANT GOVERNOR IN COUNCIL*

Order in Council

No. .....

ON MATTERS OF STATE

To The Honourable the Lieutenant Governor in Council

The undersigned, the Minister of .....Highways and Transportation.....
submits for approval of Council a report setting forth that:

WHEREAS subsections 98(1) and (3) of The Highway Traffic Act (C.C.S.M. c. H60) provide as follows:

98(1) The Traffic Board may make orders fixing, for any highway or portion of a highway designated in an order, the maximum speed permissible thereon which may be more than 90 kilometres per hour as mentioned in clause 95(1)(c), but shall not be more than 110 kilometres per hour.

98(3) An order made under subsection (1), unless sooner confirmed by an order of the Lieutenant Governor in Council, ceases to be in force and effect on the expiration of one hundred and twenty days from the time when it comes into force.

AND WHEREAS the Highway Traffic Board made an order on December 17, 1986 under subsection 98(1) of The Highway Traffic Act;

AND WHEREAS that order was filed under The Regulations Act on December 17, 1986 as Manitoba Regulation 277/86 and came into force on the date it was filed;

AND WHEREAS it is considered advisable to confirm the order;

THEREFORE the Minister recommends:

THAT Manitoba Regulation 277/86 be confirmed.

*Note that an Order in Council which confirms a filed regulation does not have the regulation attached to it as Schedule A

Initiating Department/Agency
Department/Agency Authorized Officer
Approved By C.S.C. Finance
Approved as to form by: Name _____ Initials Civil Litigation Branch: or Legislative Counsel.

Signature .....

IN THE EXECUTIVE COUNCIL CHAMBER, WINNIPEG

Upon consideration of the foregoing report and recommendation Council advises that it be done as recommended.

....
Date

.....
President or Presiding Member

AT GOVERNMENT HOUSE IN THE CITY OF WINNIPEG

Approved and Ordered this ..... day of..... A.D. .....

.....
Lieutenant Governor

PSF 80

MANITOBA

5. REGULATION APPROVED BY LIEUTENANT GOVERNOR IN COUNCIL

Order in Council

No. .....

ON MATTERS OF STATE

To The Honourable the Lieutenant Governor in Council

The undersigned, the Minister of .....Agriculture.....

submits for approval of Council a report setting forth that:

WHEREAS subsection 18(1) of The Crop Insurance Act (C.C.S.M. c. C310) provides as follows:

18(1) Subject to the approval of the Lieutenant Governor in Council, the agency may, by its written order, prescribe premium rates or premiums or both premium rates and premiums, and bonuses, discounts, and surcharges thereon, to be paid by or allowed to insured persons in respect of contracts and may establish the insurance coverage to be provided under contracts.

AND WHEREAS the Manitoba Crop Insurance Corporation has made the order set out as Schedule A;

AND WHEREAS it is considered advisable to approve the order;

THEREFORE the Minister recommends:

THAT the order set out in Schedule A be approved.

Initiating Department/Agency
Department/Agency Authorized Officer
Approved By C.S.C. Finance
Approved as to form by: Name _____ Initials Civil Litigation Branch: or Legislative Counsel:

Signature .....

IN THE EXECUTIVE COUNCIL CHAMBER, WINNIPEG

Upon consideration of the foregoing report and recommendation Council advises that it be done as recommended.

....

Date President or Presiding Member

AT GOVERNMENT HOUSE IN THE CITY OF WINNIPEG

Approved and Ordered this ..... day of..... A.D. .....

.....

Lieutenant Governor

PSF 40

MANITOBA

6. REGULATION WHERE CONDITION PRECEDENT SATISFIED

Order in Council

ON MATTERS OF STATE

No. .....

To The Honourable the Lieutenant Governor in Council

The undersigned, the Minister of .....Health.....
submits for approval of Council a report setting forth that:

WHEREAS subsection 6(1) and section 10 of The District Health and Social Services Act (C.C.S.M. c. H26) provide as follows:

6(1) Subject as hereinafter provided, the Lieutenant Governor in Council may, by regulation, establish a health and social services district, define its boundaries or describe its area and give it a name by which it may be known, and establish a health and social services board to provide health services and social services within the district and give the board a name by which it shall be known.

10 The Lieutenant Governor in Council shall not establish a district or a board for the district or amend, vary or repeal a regulation made under section 6 unless not less than 1/2 of the affected municipalities within the district or proposed district have by resolution of the council thereof, approved the proposal respecting the establishment or the amendment, variation or repeal.

AND WHEREAS the councils of each municipality within the proposed district have by resolution approved the proposal respecting the establishment of the Souris Health District;

AND WHEREAS it is considered advisable to make the regulation set out in Schedule A;

THEREFORE the Minister recommends:

THAT the regulation set out in Schedule A be made.

Initiating Department/Agency
Department/Agency Authorized Officer
Approved By C.S.C. Finance
Approved as to form by: Name _____ Initials Civil Litigation Branch or Legislative Counsel:

Signature .....

IN THE EXECUTIVE COUNCIL CHAMBER, WINNIPEG

Upon consideration of the foregoing report and recommendation Council advises that it be done as recommended.

....
Date President or Presiding Member

AT GOVERNMENT HOUSE IN THE CITY OF WINNIPEG

Approved and Ordered this ..... day of..... A.D. .....

.....
Lieutenant Governor

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MANITOBA

7. RETROACTIVE REGULATION

Order in Council

No. .....

ON MATTERS OF STATE

To The Honourable the Lieutenant Governor in Council

The undersigned, the Minister of Community Services

submits for approval of Council a report setting forth that:

WHEREAS clause 33(j) and section 34 of The Community Child Day Care Standards Act (C.C.S.M. c. C158) provide as follows:

33 For the purpose of carrying out the provisions of this Act according to their intent, the Lieutenant Governor in Council may make regulations as are ancillary thereto and are not inconsistent therewith; and every regulation made under, and in accordance with the authority granted by, this section has the force of law; and, without restricting the generality of the foregoing, the Lieutenant Governor in Council may make regulations not inconsistent with any other provision of this Act

(j) respecting the payment of grants to persons providing day care in facilities and prescribing the manner of determining the amount of grants, the requirements and qualifications for receiving grants and the conditions on which grants are payable;

34 Notwithstanding The Regulations Act a regulation made under this Act respecting grants or subsidies payable under this Act or the requirements or qualifications therefor may be made to be effective retroactively to a date prior to the date on which it is made.

AND WHEREAS it is considered advisable to make the regulation set out in Schedule A;

THEREFORE the Minister recommends:

THAT the regulation set out in Schedule A be made.

Initiating Department/Agency
Department/Agency Authorized Officer
Approved By C.S.C. Finance
Approved as to form by: Name _____ Initials Civil Litigation Branch or Legislative Counsel

Signature .....

IN THE EXECUTIVE COUNCIL CHAMBER, WINNIPEG

Upon consideration of the foregoing report and recommendation Council advises that it be done as recommended.

....
Date President or Presiding Member

AT GOVERNMENT HOUSE IN THE CITY OF WINNIPEG

Approved and Ordered this ..... day of..... A.D. .....

.....
Lieutenant Governor

PSF 40

MANITOBA

8. REGULATION WHERE PUBLICATION DISPENSED WITH

Order in Council

No. .....

ON MATTERS OF STATE

To The Honourable the Lieutenant Governor in Council

The undersigned, the Minister of .....Highways and Transportation.....
submits for approval of Council a report setting forth that:

WHEREAS clause 319(1)(ww) of The Highway Traffic Act (C.C.S.M. c. H60) provides as follows:

319(1) For the purpose of carrying out the provisions of this Act according to their intent, the Lieutenant Governor in Council may make such regulations as are ancillary thereto and are not inconsistent therewith; and every regulation made under, and in accordance with the authority granted by, this section has the force of law; and, without restricting the generality of the foregoing, the Lieutenant Governor in Council may make such regulations, not inconsistent with any other provision of this Act,

(ww) prescribing standards for school buses and equipment thereon;

AND WHEREAS it is considered advisable to make the regulation set out in Schedule A;

AND WHEREAS subsection 4(3) of The Regulations Act (C.C.S.M. c. R60) provides as follows:

4(3) Where a regulation, in the opinion of the Lieutenant Governor in Council,
(a) is of such length as to render publication thereof in The Manitoba Gazette unnecessary or undesirable; and
(b) is or will be available to all persons who are likely to be interested therein;
the Lieutenant Governor in Council, by order in council, may dispense with the publication of all or any part of the regulation; and the regulation, upon registration thereof, is as valid against all persons as if it had been published.

AND WHEREAS the regulation set out in Schedule A is of such a length as to render publication undesirable, and the regulation will be available to all persons who are likely to be interested in it;

THEREFORE the Minister recommends:

1. THAT the regulation set out in Schedule A be made.

2. THAT publication of the regulation in The Manitoba Gazette be dispensed with.

Initiating Department/Agency
Department/Agency Authorized Officer
Approved By C.S.C. Finance
Approved as to form by: Name _____ Initials Civil Litigation Branch: or Legislative Counsel:

Signature .....

IN THE EXECUTIVE COUNCIL CHAMBER, WINNIPEG

Upon consideration of the foregoing report and recommendation Council advises that it be done as recommended.

....
Date President or Presiding Member

AT GOVERNMENT HOUSE IN THE CITY OF WINNIPEG

Approved and Ordered this ..... day of..... A.D. .....

.....
Lieutenant Governor

PSF 40

APPENDIX B

COMMUNICATIONS ACTION PLAN AND STRATEGY

1. Communications Objective(s):

2. Summary of Major Messages (What is the announcement/program to indicate in condensed terms?):

3. Preferred Date(s) of Announcement:

4. Place(s) of Announcement:

5. Specific Target Market Group(s):

6. Method of Announcement:

	Dates if Known
☐ Statement	_____
☐ Speech	_____
☐ News Release	_____
☐ News Conference	_____
☐ Other (Specify)	_____

7. Support Materials:

	Dates if Known
☐ Brochure	_____
☐ Advertising	_____
☐ Public Relations	_____
☐ Direct Mail	_____
☐ Posters	_____
☐ Others (Specify)	_____

8. Evaluation (Pre and Post if Required):

- ☐ Pre-test
- ☐ Tracking
- ☐ Post-analysis

9. Total Communications Budget by Component:

10. Involvement–How and When?: Dates if Known

- ☐ 1) Communications Planning Committee: _____
- ☐ 2) Queen's Printer: _____
- ☐ 3) Advertising Audit: _____
- ☐ 4) Information Services Citizen's Inquiry: _____
- ☐ 5) Other Departments: _____

11. Impact and Anticipated Reaction To Information:

a) General Public:

b) Others (Specify)

12. Other Comments:

_____ _____

Communications Coordinator/Information Director — Date

_____ _____

Deputy Minister — Date

APPENDIX C

PROVINCE OF MANITOBA

REGULATION IMPACT STATEMENT

NOTE: If additional space is required for any of the questions below, the information should be attached as an Appendix.

1. LEGISLATIVE AUTHORITY FOR THE REGULATION:

2. EFFECTIVE DATE OF THE REGULATION:

3. DEPARTMENT(S), AGENCY(IES) OR DIVISION(S) OF DEPARTMENT(S) RESPONSIBLE FOR ADMINISTRATION:

4. STATE WHETHER THE REGULATION: (A) IS A NEW REGULATION: (B) IS AN AMENDMENT TO AN EXISTING REGULATION: (C) REPLACES AN EXISTING REGULATION DUE TO (i) CONSOLIDATION, OR (ii) CHANGE IN POLICY. IF (B) OR (C), ALSO DESCRIBE THE NATURE AND EXPECTED IMPACT OF THE CHANGES IN THE REGULATION, WHEN RESPONDING TO THE FOLLOWING QUESTIONS.

5. PURPOSE OR OBJECTIVE OF THE REGULATION: STATE WHETHER ALTERNATIVE MEANS OF ACHIEVING THIS OBJECTIVE WERE CONSIDERED. (Identify group(s) which may benefit from its implementation and include implications or repercussions of not imposing the Regulation.)

6. STATE THE "TARGET GROUP" SUBJECT TO COMPLIANCE UNDER THE REGULATION: (Specify whether groups or individuals external to the government have been consulted in respect of the nature of the proposed regulation.)

7. DESCRIBE COMPLIANCE PROCEDURES AND RECORD RETENTION REQUIREMENTS: (If completion of report forms, or inspections, etc. are mandatory, state the nature and frequency of such requirements. If records are to be maintained, for how long and why?) WHERE LEGAL ENFORCEMENT IS PROVIDED FOR, DESCRIBE THE METHOD(S) OR PROCEDURES AVAILABLE TO ENSURE COMPLIANCE.

8. DOES THIS REGULATION COMPLY WITH THE CHARTER OF RIGHTS?

9. STATE THE EXPECTED IMPACT OF COMPLIANCE ON REGULATEES: (Identify possible private and social costs, if applicable, and/or time involved in fulfiling compliance requirements.)

10. DESCRIBE JURISDICTIONAL IMPLICATIONS OF THE REGULATION: (Intergovernmental duplication, overlap, federal cutbacks, etc.)

11. STATE THE ESTIMATED COST TO THE GOVERNMENT, AND REVENUE IMPLICATIONS, IF ANY.

	First Year (19 -19)	"Full Year" (19 -19)
a) #SY ALLOCATED TO ADMINISTRATION OF THE REGULATION		
COSTS OF ADMINISTRATION		
TOTAL REVENUE (GAIN/LOSS) ANTICIPATED AS A RESULT OF THE CHANGE TO THE REGULATION		
TOTAL EXPECTED REVENUES DUE TO THE REGULATION (INCLUDING THE (GAIN/LOSS) IN RECEIPTS FROM THE PROPOSED CHANGE)		

b) IF THE REGULATION HAS REVENUE IMPLICATIONS, INCLUDE THE SCHEDULE OF PER UNIT FEES, CHARGES, ETC. CURRENTLY IMPOSED AND THE SCHEDULE OF PER UNIT FEES, CHARGES, ETC. WHICH WOULD BE IMPOSED UNDER THE PROPOSED CHANGE TO THE REGULATION.

NOTE: In the event that a new form or forms are required as a result of a new regulation or a change to an existing regulation, any such forms are subject to review as well and drafts should be submitted with this impact statement, where appropriate.

THE REGULATIONS ACT

CERTIFICATE

I, ..., Clerk of the Executive Council, hereby certify that the attached regulation marked "A" is a true copy of the original regulation:—

(a) entitled (or respecting) .....

..... (Title or Subject Matter)

(b) made pursuant to ..... (Act authorizing)

(c) by .....

(d) on the .....day of ..... A.D. 19..... (Date Regulation was made)

(e) approved of by Order-in-Council No.....on the ..... day of.....

A.D. 19 ..... on the recommendation of the Honourable the Minister of .....

.....

(f) which regulation comes into force on the day it is filed with the Registrar of Regulations (or the

..... day of..... A.D. 19.....) and

(g) replaces or amends regulation as follows:.....

.....

.....

DATED this ..... day of ..... A.D. 19.....

..... Clerk of the Executive Council

THE REGULATIONS ACT

CERTIFICATE

I, ROLAND PENNER, Q.C., Attorney-General of Manitoba certify that the attached regulation marked "A" is a true copy of the original regulation:-

(a) entitled Speed Timing Devices Regulation

(b) made under subsection 255(3) of The Highway Traffic Act

(c) by The Attorney-General of Manitoba

(d) on May 15, 1987

(e) which regulation comes into force on the day it is filed with the Registrar of Regulations, and

(f) replaces Manitoba Regulation 104/86.

DATED this 15th day of May, 1987.

Roland Penner, Q.C.
ATTORNEY-GENERAL OF MANITOBA

THE REGULATIONS ACT

CERTIFICATE

I, PENNY KELLY, Secretary-Manager of the Manitoba Egg Producers' Marketing Board certify that the attached regulation marked "A" is a true copy of the original Order 11/87:-

(a) entitled Egg Price Order

(b) made under Manitoba Regulation 219/82 and the Natural Products Marketing Act

(c) by the Manitoba Egg Producers' Marketing Board

(d) on August 24, 1987

(e) which regulation comes into force on May 31, 1987, and

(f) replaces Order 10/87 of the Manitoba Egg Producers' Marketing Board, Manitoba Regulation 192/87.

DATED this 1st day of June, 1987.

THE MANITOBA EGG PRODUCERS' MARKETING BOARD

Penny Kelly
SECRETARY-MANAGER